



2663

PTO/SB/21 (05-03)
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	1400.9801200	
	Filing Date	04-16-1999	
	First Named Inventor	Shawn P. McAllister, et al.	
	Art Unit	2663	
	Examiner Name	Duong, Duc T.	
Total Number of Pages in This Submission	10	Attorney Docket Number	1400.9801200

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Ross D. Snyder, Reg. No. 37,730
Signature	
Date	09/15/2003

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
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Signature		Date	09/15/2003

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PTO/SB/17 (05-03)
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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 930.00

Complete if Known

Application Number 09/293,297
Filing Date 04-16-1999
First Named Inventor Shawn P. McAllister, et al.
Examiner Name Duong, Duc T.
Art Unit 2663
Attorney Docket No. 1400.9801200

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METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

50-1566

Ross D. Snyder & Associates, Inc.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	930.00
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 930.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Ross D. Snyder	Registration No. (Attorney/Agent)	37,730	Telephone	512-347-9223
Signature		Date	09/15/2003		

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PATENT #8 10/7/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Shawn P. McAllister, et al.

Title: METHOD AND APPARATUS FOR SUPPORTING CONNECTION
TYPE PARTITIONING IN A COMMUNICATIONS NETWORK

App. No.: 09/293,297

Filed: 04-16-1999

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Examiner: Duong, Duc T.

Group Art Unit: 2663

SEP 25 2003

Atty. Dkt. No. 1400.9801200

Technology Center 2600

Commissioner for Patents
PO Box 1450
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RESPONSE

Dear Sir:

In response to the Office action of March 13, 2003, Applicant submits the following:

REMARKS/ARGUMENTS

Claims 1-34 are pending in the present application. The Examiner has rejected claims 1-17, 19-31, 33, and 34. The Examiner has objected to claims 18 and 32. Applicant respectfully requests reconsideration of pending claims 1-34.

The Examiner has rejected claims 1-17, 19-31, 33, and 34 under 35 U.S.C. § 103(a) as being unpatentable over Bertin et al. (U.S. Patent No. 5,687,167) in view of Tooker et al. (U.S. Patent No. 6,446,079 B2). Applicant respectfully disagrees.

Regarding claims 1, 12, and 23, Applicant respectfully disagrees. Applicant submits that neither Bertin et al. even if read in view of the cited portion of Tooker et al. fails to render obvious the claimed invention as set forth in claims 1, 12, and 23. As the Examiner notes, Bertin et al. fail to teach partitioning of available bandwidth of the link between switched virtual connections and soft permanent virtual connections. The Examiner contends that Tooker et al. disclose an ATM switching network using both switched virtual connection (SVC) and semi-permanent virtual connection